

REMARKS

Claims 1-20 are pending in this application. By this Amendment, claim 1 is amended to recite features supported in the specification at, for example, paragraphs [0028] – [0032].

No new matter is added by any of these amendments.

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Kassa during the February 7, 2005 telephone interview. In accordance with MPEP §713.04, the points discussed during the interview are incorporated in the remarks below and constitute Applicants' record of the interview.

Applicants gratefully acknowledge that the Office Action indicates that claims 9-20 contain allowable subject matter. However, Applicants assert that all of claims 1-8 are also allowable for the reasons discussed below.

The Office Action rejects claims 1-5 and 8 under 35 U.S.C. §103(a) over U.S. Patent No. 6,697,636 to Yamada in view of U.S. Patent No. 6,764,379 to Matsuda et al. (hereinafter "Matsuda"). These rejections are respectfully traversed. This rejection is respectfully traversed.

As discussed during the interview, Yamada and Matsuda, alone or in combination, do not teach or suggest a document image capture system including an input for receiving an image from a camera; at least one image buffer for storing data representing an image frame, an operating mode selector for receiving a selection between a live operating mode and a frozen operating mode, a motion detector coupled to the at least one image buffer for processing the image to detect motion between sequential frames of the image, wherein the image is a current live image when the motion detector detects the motion between the sequential frames and the image is a frozen image otherwise, an image processor coupled to the at least one image buffer for processing the image therein to extract document information from the image, the image processor processing the frozen image while in the

frozen mode in accordance with a selected image processing operation and concurrently monitoring the current live image from the sequential frames; and a control device responsive to an output from the motion detector for controlling the image processor to begin processing when the motion detector detects that the image has become stationary after movement, wherein the live operating mode transitions to the frozen operating mode in response to the image in the sequential frames becoming frozen, and the frozen operating mode transitioning to the live operating mode in response to the motion detector detecting the motion between the frozen image and the current live image, as recited in claim 1.

Yamada discloses a scanning apparatus. In particular, Yamada teaches document and image scanning sections 101, 102 with a motion detector 104 and a hand movement extracting section 108 to delete features relating to hand movements. See col. 5, line 53 – col. 6, line 27 and Fig. 3 of Yamada. Thus, Yamada fails to address moving or frozen images from sequenced frames, but rather is directed to obscuration due to the presence of the hands that manipulate the document on an image platen for copying or processing.

Matsuda discloses a book scanner. In particular, Matsuda teaches scanning a book 10 on a platen 1 with a mirror 5 reflecting the side surfaces of the book 10. An imaging device with a line sensor 7 scans the curved surface image 11 of the book 10 reflected by the mirror 5. See col. 4, lines 4-57 and Figs. 3-6 of Matsuda. Thus, Matsuda also fails to address moving or frozen images from sequenced frames, but rather is directed compensating for the page curvature of an opened bound codex.

The Office Action further rejects claims 6 and 7 under 35 U.S.C. §103(a) over Yamada and Matsuda and further in view of U.S. Patent No. 5,649,026 to Heins, III (hereinafter “Heins”). This rejection is respectfully traversed.

Heins does not compensate for the deficiencies of Yamada and Matsuda outlined above for claims 1 and 4. Nor does Heins disclose, teach or suggest the additional features

regarding optical character recognition, recited in claims 6 and 7. Heins discloses a document mark detector. In particular, Heins teaches a document sorter 10 scanned to distinguish invoice markings by a contents processor 20. See col. 4, lines 18-45 and Figs. 1-3 of Heins.

Further, there would have been no motivation to combine features related to the extraction of hand movement of Yamada with the curvature compensation of Matsuda and the document sorter of Heins. The Office Action has not established sufficient motivation for a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references could be established, the combination fails to teach or suggest the features recited in claims 1-8, as discussed above.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j).

For at least these reasons, Applicants respectfully assert that independent claim 1 is patentable over the applied references. Dependent claims 2-8 are likewise patentable over the applied references for at least the reasons discussed, as well as for the additional features they recite. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §103 be withdrawn.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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